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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,100	04/14/2004	Cheng-Kuang Tseng	ACMP0096USA	3099

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NORTH AMERICA INTERNATIONAL PATENT OFFICE (NAIPC)
P.O. BOX 506
MERRIFIELD, VA 22116

EXAMINER

GRAY, DAVID M

ART UNIT PAPER NUMBER

2851

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/709,100

Applicant(s)

TSENG, CHENG-KUANG

Examiner

David M. Gray

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-14 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5, 8, 9 and 12 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Waller et al.

Waller et al. disclose, see figures 1-4, “a lens [37] for capturing an image in an image area; a light gun [58-64 and 59-64] for projecting a light spot at the edge of the image area [24 and 25]; and a light gun switch [inherent in the camera system to turn off power for the whole camera system] for selectively turning on the light gun in order to project the light spot; wherein when the light spot is projected, a subject can see the edge of the image area [col 2, lns 37-47].” Regarding claim 2, Waller et al. discloses “a gear [42] and a connecting rod [46] installed between the lens and the light gun for adjusting the projecting position of the light spot.”

Waller et al. also disclose a second embodiment, see figures 5-8, having “a lens [90, 91, 92, 93] for capturing an image in an image area; a light gun [101-104, 102-105] for projecting a light spot at the edge of the image area [106, 107]; and a light gun switch [153] for selectively turning on the light gun in order to project the light spot; wherein when the light spot is projected, a subject can see the edge of the image area [col 2, lns 37-47].” Regarding claim 2, Waller et al. disclose “a gear [93] and a connecting rod [117] installed between the lens and the light gun for adjusting the projecting position of the light spot.”

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Claims 1, 4, 6-8, 11, 13 and 14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Capper.

Capper discloses “a lens [250] for capturing an image in an image area; a light gun [20, 38 or 64] for projecting a light spot at the edge of the image area [col 1, ln 58 - col 2, ln 8]; and a light gun switch [208-210] for selectively turning on the light gun in order to project the light spot; wherein when the light spot is projected, a subject can see the edge of the image area [col 5, lns 38-59].”

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waller et al.

Waller et al. differs from the claimed invention as Waller et al. disclose a manual camera apparatus and hence do not teach “a motor for driving the gear and the connecting rod.”

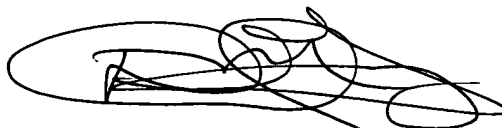
It would have been obvious to one of ordinary skill at the time of applicant's invention to automate the camera of Waller et al. and motorize all the functions thereof. One would have been motivated to so modify Waller et al. in order to simplify camera operations.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David M. Gray whose telephone number is 571-272-2119. The examiner can normally be reached on M-T 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'David M. Gray', enclosed within a large, irregular oval shape.

David M Gray
Primary Examiner
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